AGAINST THE ODELL LEGISLA-TIVE TRIUMVIRATE.

Attempt to Force Through the Bill to Tax Transfers of Stock is Frustrated -The Bill Laid Aside Until After the Assembly Takes Action Upon ft.

ALBANY, March 23 .- There was open mutiny in the State Senate to-day against the Odell triumvirate. As a result it is now certain that it depends upon the Assembly's action whether the bill imposing a tax upon transfers of stock will become a law this year. The effort to jam it through the Senate to-day was frustrated, and Senators John Raines and George R. Malby, who have ignored the wishes and views of the other Republican Senators, were beside themselves with anger. As they had been able to pass the lighting investigation resolution they felt perfectly sure that they could pass whatever legislation they wanted to, with the aid of Gov. Higgins. But they were mistaken.

Yesterday Senator Raines went to Senator Lewis and asked him to move his stock transfer tax bill. Senator Lewis, remembering the agreement of the Senate caucus, refused to do so, saying that "such action would be a breach of faith." But this did not feaze the Republican leader of the Senate, for to-day he demanded that the stock transfer tax bill be taken up.

Senator Lewis insisted that at the caucus three weeks ago an agreement had been reached that the bills were to pass at the same time, but not until the Assembly had acted upon them. Senator Armstrong said the Stook Transfer Tax bill should be laid aside until next Thursday in order to give the Assembly an opportunity to act upon it.

Senator Malby spoke of the danger of delay and reproved his associates for deferring to the Assembly, saving:

"It is unbecoming the Senate. Are we not going to play unless the Assembly plays, too? Must we wait until the younger and the weaker child across the Capitol takes affirmative action before we do? Now. If that is becoming in the Senate of the great State of New York, then I am somewhat at a loss to know just what is somewhat at a loss to know just what is becoming to this distinguished body. In-stead of the Assembly leading us, we should lead them, and show them what to do. He characterized the actions of Senators Armstrong and Lewis as childish and de-clared that no such action had been taken

onuous as stated by the two Sena-

Senator Lewis replied that he knew delays were dangerous, but it was more dangerous for the Republican party to violate its pledges. He insisted that the agreement he had referred to had been

Senator Raines interrupted to say that he didn't know of such an agreement, and Senator Malby said he and Senator Raines Senator Mainty said he and senator Admissions had never had any such understanding.

Senator White of Syracuse said that the contention of Senators Armstrong and Lewis was a correct one, and that Senators Haines and Malby had evidently failed to take note of what had been done. He said had not desire to impure their statements.

take note of what had been done. He said he had no desire to impugn their statements.

"I want to say," he added, "that that understanding was as solemn and as binding in honor upon every man who attended that caucus as any resolution could possibly be, and I want to ask these gentlemen to lay this bill aside. It is incomprehensible to me, no matter how great the importance of this measure, that any one should think its importance was great enough to violate the obligations of honor."

"What did we agree to do?" asked Senator Malby in surprise.

Malby in surprise.

"We agreed," said Senator White, "that the stock transfer and mortgage tax bills should not be put upon their final passage until we had assurances that the majority in the Assembly were morally obligated to pass both these measures."

Senator Malby then subsided and the bill

was laid aside until after the Assembly takes action. The majority of the Repub-lican Assemblymen at their conference last week expressed themselves as being more in favor of passing the stock transfer tax in favor of passing the stock transfer tax bill than the mortgage tax bill. The Senate Taxation Committee has voted to report favorably Senator L'Homme-dieu's bill imposing a tax on automobiles

dieu's bill imposing a tax on automobiles above ten horse-power, at the rate of \$2 per horse-power. This is to be another revenue raising measure. It takes the place of the proposed \$2 tax on dogs. The bill was amended to make it apply only to automobiles above ten horse-power and exempts trucks from its provisions.

Senator Hill has introduced a bill reviving for two years the \$10,000,000 appropriation contained in the \$101,000,000 Barge Canal law, passed in 1903, to inaugurate the work, as such appropriations lapse after two years if not used.

Benator Coggeshall has introduced the Townsend Fire Escape bill of 1903. It does not apply to New York or Buffalo, or to summer hotels.

Senator Davis has a bill permitting Boards of Supervisors to establish municipal ledging houses.

Senator Davis has a bill permitting Boards of Supervisors to establish municipal ledging houses.

The Senate passed Assemblyman Rogers's bill transferring to the control of New York city the Randall's Island House of Refuge for juvenile delinquents, and Assemblyman Burnett's bill authorizing New York city to acquire control of ferryboat lines and for the building of additional boats and buildings.

Senator Grady's bill prohibiting wash sales of stock was favorably reported by the Senate Judiciary Committee to-day. It was amended to provide that it should not prevent the sale by the grocer, producer or manufacturer, or the agent of either of them, of sach produce or food, material, cotton, wool or tobacco as is grown, produced or manufactured by such owner. The committee also reported the bill legalising the practice of osteopathy and placing it under the control of the State Regents.

Senator Cassidy's bill, which gives electrical power companies the right of condemnation proceedings to acquire routes, was advanced to a third reading in the Senator Armstrong's bill, prohibiting the

panies to distribute their electrical energy throughout the State.

Senator Armstrong's bill, prohibiting the docking of horses' tails, was recommitted to the Benate Judiciary Committee.

The Assembly passed Assemblyman Merritt's bill, which makes it a misdemeanor for any person to procure for disorderly bouser.

houses.

The Assembly also passed Assemblyman McManus's bill giving the New York city Magistrates and Justices of the Court of Special Sessions authority to remit a fine; also Assemblyman La Fetra's bill giving the New York city authorities the power to appropriate moneys for the support of the libraries.

Assemblyman Stanley (Rep., N. Y.) introduced a bill which takes away from the New York city Board of Aldermen the power of granting street railroad fran-chises. The bill transfers that power to the Board of Estimate and Apportionment. The bill also provides that the city clerk shall keep a record of all consents, fran-chises and routes granted to surface railread corporations. Nothing in the pro-posed act is to interfere with the powers of the Rapid Transit Commission or of any consents granted by that body.

FOR STATE WATER COMMISSION. Gov. Higgins Announces That He Pavers

the Bill Introduced by Mr. Agnew. ALBANY, March 23 .- Gov. Higgins has given the Republican Assemblymen to understand that he is still for a State water commission and he has also said that the bill that he wants passed is the Agnew bill, which the introducer amended to meet the views of the Governor in his special risesage to the Legislature on that ques-tion some time ago. As the Governor has

REVOLT IN THE STATE SENATE | mittee on Electricity, Gas and Water Supply will, at its meeting next Tuesday, vote to report the bill and it is likely that it will be passed before any other water bill it will be passed before any other water bill will be acted upon for the benefit of New York city. There are a number of other water commission bills before the Legislature and all seek to do what the Agnew bill does, but the Governor did not express a preference for any of them to-day when he permitted it to be understood that Assemblyman Agnew's bill is the one that he wants.

wants.

Monday night representatives of the Monday night representatives of the New York city administration and members of the Legislature from the Hudson River counties which would be affected by the Mayor McClellan bill seeking to secure a water supply for New York city will have a conference on the compromise bill which has been drafted. The bill has been changed in regard to the commission, for instead of one of the commission being appointed by the American Society of Civil Engineers, the New York city Board of Fire Underwriters will name the third member of the the New York city Board of Fire Under-writers will name the third member of the commission. This change is made simply because the charter of the Society of Civil Engineers prohibits it from recommending one of its members for a public office. The representatives from Westchester, Putnam and Dutchess counties look upon the revised bill with considerable degree of favor, but they do not think that any

favor, but they do not think that any ill that can be drawn will induce the Ulster county men to make any concession the city so that it can go into that county. The only apparent opposition comes from S. D. Coykendall, a prominent river boat owner and who is also interested in the bluestone business of that county. He had a conference with Gov. Higgins to-day on the water question and wystested a gainst on the water question and protested against letting New York city come into Ulster

ASK FOR HIS REMOVAL.

Nassau County Grand Jury Prefers Charges Against District Attorney Coles.

ALBANY, March 23.-Frank Horton of Cedarhurst, John H. Carl of Baldwin and George P. Titus of East Williston, a committee appointed by the Nassau county Grand Jury which sat in February last, to-day filed with Gov. Higgins charges against District Attorney Franklin A. Coles, whose removal from office is requested.

It is alleged that the District Attorney

refused to prepare indictments decided upon by the Grand Jury against John ennahan and Mesers. Smith. Cox. William H. Jones and Edwin C. Willets, members of the Nassau county Board of Supervisors in 1902, for auditing bills against the county containing false charges on the ground that the evidence was insufficient and that he therefore attempted to prevent a con-sideration by the Grand Jury of an alleged

The committee which formulated the charges asks that a special deputy Attor-ney-General be appointed to investigate the alleged crimes before the next Grand Jury in the county.

PREUSSER JURY STILL OUT. Locked Up for Another Night to Bellberate

on Their Verdiet. ALBANY, March 23 .- The jury in the case of Richard E. Preusser, charged with the murder in this city last June of Myles Mc-Donnell, the gambler, had not reached an agreement this evening, and the judge ordered them locked up for the night. The jury has been out since 9 o'clock Wednesday night. They returned to the court room at 6 o'clock this evening, and Justice Hasbrouck instructed the Sheriff to give them quarters in the Special Term

TRYING THE DYNAMITER. Chicago Man Who Sent Dynamite to the Umbria Faces Jury.

Gessler Rosseau, who says he is a Chicagoan named Russell, was put on trial before Recorder Goff in General Sessions yesterday on the charge of sending dynamite to the Cunard Steamship Company dock just before the steamship Umbria was about to sail on May 9, 1903. There are two counts in the indictment, one sending explosives to a transportation company without notifying the officials of the company and the other for putting dynamite in a structure for the purpose of destroying the structure and endangering human lives.

Rosseau, who is slightly bald and thickmake suggestions to his counsel, Charles M. Kiefer. The most noticeable thing about Rosseau are his black, snappy and shifty eyes. He is said to have admitted that he made two attempts to blow up the statue of Frederick the Great in Wash-

ington.

After a jury had been drawn without much trouble, Assistant District Attorney Smyth told how Rosseau sent an infernal machine to the steamship pier and then wrote a letter to Police Commissioner Greene notifying him where it could be found.

Detective Sergeant Farley, the only witness yesterday, told of getting the letter from Gen. Greene and going to the steamship pier. Following Rosseau's directions he got the box containing the machine with the dynamite. The box lay in front of Rosseau to court seen in court.

tosseau in court.

Other witnesses will be examined to-day.
Rosseau is said to have made two confessions already, and there was a hint that might make another.

COURT NOT A BOY TRAP. Justice Wyntt Lets Tiny Shee Lace Vender. Who Strayed In. Go Free.

Special Officer Pizarra of the Gerry so ciety was leaving the Children's Court yesterday morning when a boy, 3 feet 2 inches high, carrying a big bunch of shoe laces, met him at the entrance.

"Where are you going?" asked Pisarra. "Going to sell the shoe lace to the crowd. replied the boy. "Want to buy some? Shoe lace, five a pair."
"How old are you?" asked the Gerry

"Twelve." was the reply. "Go to school?"
"No, I work for me father."

"Come on in."
The boy blithely followed. Pisarra lead the boy up to August Bohnk, another Gerry society agent, and got him to make a com-plaint.

plaint.

A few moments later Justice Wyatt looked down on a very scared shoe lace vender, who said he was Issy Sienkewitz and lived on Norfolk street and hadn't done anything without the street and hadn't done anything with the street and hadn't done anything without the street and hadn't done anything with the street anything with the street anything with the street any done any done

done anything wrong.
"Well," mused the Justice, "the boy
ought to be in school, but it seems mean to
take advantage of him when he was coming in here so innocently and inveigle him on, so to speak. There's no evil intent, anyhow. Now, Issy, you must go to school and not sell shoe isces in school hours or you'll get your father into trouble. Complaint dismissed."

President Littleton in Texas. DALLAS, Tex., March 23.-Martin W. Littleton, President of the Borough of Brooklyn, reached Dallas to-night on per-

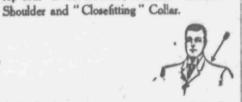
The "Curate's 1 Assistant"

Or Muffin Stand is a smart and very useful accessory of the Five o'Clock Tea Service. We have them in plain and inlaid mahogany, and from now on they will be in constantly increasing demand as Easter Gifts.

Schmitt Brothers, come out for the bill, the Assembly Com- Established 1855. 40 East 23d.



About time for you? Our store is the best place to shed it. And for a new one-here's the short, boxy top coat of covert cloth, with our "Concave



At \$20 here's a clever new top coat model-in three shades of tan covert—silk lined. Others at \$22, \$25, \$28 up to \$30.

WM. VOGEL & SON Broadway. Houston St.

BLAIR SUES COL. GARDINER.

WANTS BACK SOME OF \$3,000 PAID IN COUNSEL FEES.

Plaintiff Is Ex-Superintendent of Outdoor Poor, Twice Bounced, and Defendant is Ex-District Attorney-An Exchange Compliments Between Them.

On behalf of George Blair, formerly Superintendent of Outdoor Poor, Lawyer J. Dutton asked Justice Gildersleeve vesterday to compel ex-District Attorney Asa Bird Gardiner and his son, Philip B. Gardiner, return to Blair at least a part of the money which Blair paid to them for professional services in connection with his proceedings for reinstatement in office and for back pay.

It developed that out of \$4,354 back pay Blair recovered, Col. Gardiner got \$1,500 and his son the same amount, both under assignments made by Blair, leaving \$1,354 for Blair. Blair charges that he was compelled to part with the \$3,000 by threats and demands made by Col. Gardiner.

In 1902 Blair was summarily removed by Homer Folks, then Commissioner of Charities. The Court of Appeals reinstated him in 1903, with back pay from the date of his success in the trial court. After that Commissioner Tully removed him for good. Mr. Dutton declared that while Blair

was willing to pay a reasonable sum for Col. Gardiner's services, he considered \$3,000 enormous. In his affidavit, Blair says Col. Gardiner informed him that certain creditors of Blair were insisting on a statement, and that only an assignment to Col. Gardiner would prevent the money recovered from being attached. Blair also says that it was his understanding that Col. (ardiner, as an old friend and fellow veteran, had agreed to act as attorney for him for a nominal sum. As to the second assignment of \$1,500, made to Philip B. Gardiner, Mr. Dutton declared that it had been forced upon Blair by Col. Gardiner, and was an unjust assignment.

Col. Gardiner, replying to Mr. Dutton said he was prepared to show that Blair was chargeable with perjury. He read to the Court several affidavits by Blair, acknowledging the justice of his claim to the first \$1,500, and said that he had agreed

the first \$1,500, and said that he had agreed to take the case originally on these terms: \$500 for the Supreme Court proceedings, \$500 for the Supreme Court proceedings, \$600 for the Court of Appeals proceedings, should there be any.

Blair was reinstated, and subsequently, when his creditors began execution proceedings in the City Court, Col. Gardiner applied to have \$1,500 set aside for his compensation in any distribution of the assets. Blair then made an affidavit, swearing that he had agreed to pay this sum.

"I consider that \$1,500 is a very meagre compensation for any lawyer who carries a case to the Court of Appeals," said Col. Gardiner. "As regards the second \$1,500, I drafted the bill which enabled veterans to recover back pay from the date of their

a case to the Court of Appeals, said Col. Gardiner. "As regards the second \$1,500, I drafted the bill which enabled veterans to recover back pay from the date of their removal instead of the date of their storder of reinstatement. When Blair was up on his second trial before Mr. Tully I defended him again, at his earnest request, and was mortified to find that the charges were true and he was a crook. He was summarily dismissed and I refused to have anything more to do with him. He applied to my son to take up his suit for back pay from the earlier date. My son consulted with me. I warned Philip that although Blair had a legal right to recover he had now been shown to be a crook. I told him also that he would have to take the case on a contingent fee, and take it to the Court of Appeals probably, and that the law might be held unconstitutional and he would get nothing. I advised him, therefore, not to secept less than \$1,300 and to get an assignment for that amount.

"My son succeeded at Special Term in getting a judgment for Blair for \$2,150, and the money was paid over to Blair. Blair was fortunate in getting anything, and what he did get was a gratuity—he was glad enough to get a few hundred dollars.

"Throughout the case I have acted in entirely good faith, and my son also. Blair concealed from me many things, among them that he had had a receiver appointed for himself in order to cheat me as he did his other creditors. Besides, he made an assignment of all his back pay to his wife, Agnes Blair, regardless of the assignment to the receiver, which was subsequently set aside."

to the receiver, which was subsequently set

Justice Gildersleeve reserved decision on plaintif's motion that a referee be ap-pointed to determine what would be a fair compensation.

Two Harvard Expeditions to Iceland. CAMBRIDGE, Mass., March 28 .- The Harvard geological department will send two expeditions to Iceland this summer, instead of one as was expected. Prof. T. A. Jaggar will lead one and Dr. W. C. Farrabee the other. Prof. Jaggar's party will be concerned mainly with geology. The other will deal with archeology.

on draught or in bottles at almost every soda fountain in town. Most good grocers have it, too. Sold only in glass, and all bottles bear Welch's label.

\$10 TEA BREWED TROUBLE.

Madam Monastery, Held for Trial, Says the Spirits Will Punish Women Sleuths.

The "English healer," Madam Maud Monastery, who, it is alleged, sold to two women sleuths of the County Medical Society "spirit blessed tea" at \$5 the ounce and gave them private views of her ghost made family picture gallery, was almost a nervous wreck when she appeared before Magistrate !loss in the West Side Court yesterday afternoon to answer to the charge made against her by Nellie Dyckman and Sadie Reeves, the detectives, Lawyer John Halligan appeared for the

man and he put the sleuths through a searching cross-examination.

"Now, Mrs. Dyckman," said Halligan,
"you said something a little while ago about
spirit tea. Have you any sort of idea
what sort of spirits were in that tea—whether

they were the kind made by John Jameson (Halligan is not Scotch) or the kind that pass through heaven?"

pass through heaven?"
"I suppose the Jameson kind passes
down below," remarked Magistrate Moss.
Mrs. Dyckman said she hadn't the faintest idea what kind of spirits they were.
She knew very little about spirits, but she
didn't think that they could bless tea sufficiently to make it worth \$5 an ounce, and she was quite sure they couldn't paint mily portraits.
All of this time Madam Monastery was

standing at the railing emitting little snorts. By and by she got a chance to speak, but she was so unstrung by what she callet "all the horrid fibs" the women have told on her that she couldn't explain just what had promised to do. Really, your Honor," said she between

she had promised to do.

"Really, your Honor," said she between gulps, "this is quite extraordinary. These ladies came to me for massage treatment, test at the time I told them that I couldn't treat them, because I had broken my left wrist and it hadn't healed. I don't know where they got the tea, and surely I took no money from them."

"Magistrate Moss said he thought the evidence was sufficient to warrant his holding the prisoner, and he fixed bail at \$200. While Madam Monastery was waiting for the bond to be signed she spent the time making faces at the detectives and declaring that the spirits would punish them.

"I have a beautiful home in West Fiftyseventh street," said she, "and it has been invaded. It is my mission in life to help persons and I have come to this. It is shameful."

NO MORE WAR, SAYS UCHIDA.

When This Is Over Japan Will Plan for Lasting Peace-Praises Americans. The Reformed Church Union at its March dinner at the St. Denis last night had Consul-General Uchida of Japan and the Rev. Dr. Arthur J. Brown, secretary of the Presbyterian Board of Foreign Missions, to tell about "The Future of Japan After the Present War," and "Corea, the Prize of the War." The union had one of the largest

dinners in its history. Nearly two hundred sat down. Mr. Uchida praised the people of the United States for their genuine regard for Japan and said he is still sending home sums of money given by generous Ameri-cans for the support of Japanese widows and orphans. An anonymous donor, a and orphans. An anonymous donor, a woman who came from the East Side, left with him \$2,000 for this purpose only

a few days ago, he said.
"The moral support you have given
us," he continued, "is just as great as that
coming from a treaty with England. coming from a treaty with England.

"All the money indemnity we get will never return those hundreds of thousands of lost lives. When this war is ended Japan will take great pains never to enter another. She will plan, and plan—but for peace, and not for more war. We must prosper, we must flourish, and it must be in the arts of peace, and not in those of

Mar."
Dr. Brown declared Corea the prize of the war because it is truly the key to the

DR.KANELET OFF WITH 4 MONTHS While His Assistant Gets 8 Months for the Radium Cure Swindle.

Henry H. Kane, who is a real M. D., and who was once president of the Road Drivers' Association, and his assistant, William H. Hale, once convicted of practising medicine without a degree, having confessed that they stole a trifle of \$10,000 from John McCullum, a young Mount Vernon car-penter, by means of a radium cure swindle, were sentenced by Judge McMahon in were sentenced by Judge McMahon in General Sessions yesterday, Kane to serve as much as four months and Hale as much at eight months in the penitentiary. If they hadn't returned to McCullum the \$10,000, his life savings, they would have

ato,000, his life savings, they would have
got heavier sentences.

Abe Levy, counsel for the two men,
pleaded for mercy. He said that the Distriot Attorney's office and the County
Medical Society, which got the evidence
against the prisoners, were not vindictive.
Champe Andrews, counsel for the County
Medical Society, said that the society was
determined to stop practices such as were determined to stop practices such as were employed by Kane and his confederate.

"Yet," he said, "I think the Court should show elemency here. The prisoners have made restitution to the man they swindled and have promised to give up their nefarious business."

lous business." Judge McMahon said the prisoners had undoubtedly imposed upon a number of persons, but that the circumstances justified him in showing mercy.

NO INJUNCTION AGAINST POLICE. Court Holds That Law Was Violated in Watsen's Cozy Corner.

Supreme Court Justice Kelly in Brooklyn yesterday handed down a decision in which he denies the application of the Brooklyn Amusement Company to make permanent

Amusement Company to make permanent a temporary injunction restraining Police Commissioner McAdoo and Capt. Gallagher of the Adams street etation from interfering with the sale of liquor in the basement of Watson's Cozy Corner Theatre, Pearl and Willoughby streets.

Capt. Gallagher arrested Manager Brown and a waiter employed in the rathskeller for violation of the liquor tax law, and then arrested Manager William Watson of the theatre for conducting a theatrical performance in a building in which liquor is sold. Justice Kelly in his opinion says that he is satisfied from the affidavits presented to him that the law was violated in the theatre. He also says:

sented to him that the law was violated in the theatre. He also says:
"The affidavite submitted on behalf of the defendants disclose a condition of things prevailing at the plaintiff's resort which should not be tolerated in Brooklyn or anywhere else under any license or permit."

and Thereby Incurred the Enmity of the Imperial House of Austria.

WASHINGTON, March 23.-Senor Manuel de Azpiroz, the Ambassador of Mexico, is dying at the Mexican Embassy. He has been seriously ill of gastritis for a long time, but was able to take drives on pleasant days. His last public appearance was at the inaugural ceremonies, where he nearly fainted on account of his weak condition and the exposure to the keen northeast wind that swept over the inaugural platform. While no hope for his recovery is entertained, Senor Azpiroz may live several days.

Senor Azpiroz is in his 69th year. He was born in Puebla City, State of Puebla, Jan. 9, 1838, and was graduated from the University of Mexico in 1855 and licensed to practise law in 1863. In the Juarez insurrection against Maximillian, Senor Azpiroz served as a Colonel in the insurgent army, and after the war became Assistant Secretary of State. He is a member of several scientific and literary associations, an author, and a Knight Commander of the Military Order of Our Lord

Jesus Christ of Portugal. The expected passing away of Senor Azpiroz recalls the fact that he was Judge Advocate of the military court which sentenced the Emperor Maximilian to death. He advocated the imposition of the death sentence and thereby incurred the lasting enmity of the Imperial House of Austria, of which Maximilian was a member. The present Emperor Francis Joseph is Maximilian's brother.

Señor Azpiroz was received by President McKinley as the Ambassador of Mexico on March 30, 1899. In December, 1902, Mr. Ladislaus Hengelmuller Von Hengervar, the Austrian Minister, was promoted to the rank of Ambassador. An Ambassador is the personal representative of his sovereign. the "other self." as he is sometimes called. He is to all official intents and purposes a member of his sovereign's family. Under the ban placed upon Sefor Azpiroz by Emperor Francis Joseph it was impossible for the Emperor's Ambassador, Mr. Hengelmuller, to recognize Señor Azpiroz, who was held by the Austrian Imperial House to be partly responsible for the execution of Maximilian.

In the two years and several months that Mr. Hengelmuller has been the Austrian Ambassador he has had no relations with his Mexican colleague, except such as were required through their necessary official intercourse as members of the Ambassadors' circle, and this was restricted to a bare nterchange of official civilities. A very mbarassing incident occurred at one White House dinner to the Diplomatic Corps, where, according to the story told at the time, Senor Appiroz was assigned to take a member of the Austrian Ambassador's household to the dining room. The trouble was quickly adjusted, however, through a new arrangement of partners. Señor Azpiroz is the first Ambassador

Señor Azpiroz is the first Ambassador from Mexico who ever served as such. Prior to 1893 the highest rank in the Diplomatic Corps in Washington was Minister Plenipotentiary, and by virtue of seniority, Señor Don Matias Romero, a man of great distinction and ability, who was Mexico's representative here, had before then become dean of the diplomatic body. When the first Ambassador, Sir Julian Pauncefote, later, Lord Pauncefote of Preston, arrived in Washington, he became dean of the corps by virtue of his higher rank, displacing Señor Romero. Other Ambassadors were appointed and also took procedence of the Mexican representative. The preferential position accorded Ambassadors applied likewise to the order in preferential position accorded A adors applied likewise to the order which they were received by the Secretary

of State on his business reception days.
Senor Romero, who was always the partment on these days, was frequently displaced through the appearance, just as the reception was about to be begun, by the Ambassadors. On several ocsador who had displaced Senor Romero was through with his business more Ambassadors would arrive, and the Mexican diplomat, once the head of the corps, would be obliged to spend his time cooling his heels outside the Secretary's door until the Ambassadors were Ithrough with

their business. Señor Romero's patience was exhausted Senor Romero's patience was exhausted at last, and he wrote to his Government that to enable him to care properly for the interests of Mexico it would be necessary to raise the rank of the legation here to that of an embassy. The Mexican Government compiled and promptly forwarded the necessary credentials. When they reached Washington Senor Romero was on his deathbed. That is how it happened that Senor Azpiroz, who is now also dying in Washington, was the first Ambassador of Mexico to serve as such.

in Washington, was the first Ambassador of Mexico to serve as such.

Señor Azpiroz's family, all of whom are with him, consists of his wife, his daughters, Señor Dona Luz de Azpiroz de Perez Rivera, and Señorita Bel' En de Azpiroz, and his son, Señor Don Rodrigo de Azpiroz, who is second secretary of the embassy.

At a late hour to-night the Ambassador's condition was unchanged. He is conscious nearly all the time and is able to take nourishment. The Mexican Government has been informed of the illness of Señor De Azpiros.

GARFIELD TO GO TO KANSAS. To Be Sent to the Oil Fields to Investigate

the Standard Company's Operations. WASHINGTON, March 23 .- Notwithstandng the protests of the Oil Producers' Association, the personal strictures of the Legislature and the criticisms of the State press, Commissioner of Corporations James R. Garfield is to be sent to the Kansas oil fields to make an investigation of the operations of the Standard Oil Company in that State. Commissioner Garfield is now on a hunting and fishing trip in the South, getting himself in good fighting trim to meet the wrathful Kansans. Down in Kansas they say that Com-

missioner Garfield made friends with the heef trust instead of prosecuting it, and the State is in a turmoil over the reports that the Commissioner went to New York recently to begin his inquiry into Standard

This is equivalent, in Kansas, to an admission that Mr. Garfield has been in close communion with the money devil and the trust octopus, and reports received here are to the effect that Kansans have no confiience in Garfield and declare that they will have none of him.
"If an oil investi-

have none of him.

"If an oil investigation is made in that State," said an official of the Department of Commerce and Labor to-day, "Commissioner Garfield will be in charge of it."

The present whereabouts of Mr. Garfield are kept a profound secret at the Department, as the Commissioner desires to get into Kansas without any advance notice.



DRY-SOLE

For soles of shoes. Waterproofs and preserves. Use it and you will never wear rubbers, 25c.

For sale by John Wanamaker, Aifred J. Cammeyer, Hanan & Son. J. & J. Sater. Broadway and 26th 6t.; Jungmann. 1 E. 450.8t. 1658 Thind av. 438 Columbus av.; Mil-hau e. 183 Broadway, and others.

MEXICAN AMBASSADOR DYING. HE IS ILL OF GASTRITIS, WITH NO HOPE OF RECOVERY. Was Judge Advocate of the Military Court Whiteh Sentenced Maximilian to Death AND HEARTY AT 95



Pure Malt Whiskey. It Keeps My Appetite and Digestion Good, and I Sleep Well." "For the past four years I have used Duffy's Pure Malt Whiskey as a stimulant and medicine—taking a teaspoonful in a little water several times a day for weakness. It keeps my appetite and digestion good, and I sleep well. I am in my 95th year and attended the Willimantic campmeeting this summer."—Mas. LYDIA COUCH, Manchester, Conn. Sept. 28, 1904.

At Her Advanced Age, Mrs. Lydia

Couch. Daughter of the American

Revolution, Attended Camp Reeting-

The Grand Old Lady Ascribes Her

Great Activity and Splendid Health to

the Dally and Regular Use of Duffy's

As in the case of Mrs. Couch, one of

MRS. LYDIA COUCH.

As in the case of Mrs. Couch, one of the few living Daughters of the American Revolution, thousands of hale, active, alert and hearty old men and women, many of whom have passed the century mark, have been sustained, comforted, nourished and supported and enabled to enjoy the blessings of a healthy and vigorous old age by the regular use of Duffy's Pure Malt Whiskey. It is indorsed and recommen ded by ministers of the Gospel and prescribed by doctors as the most nourishing, purest, health-giving tonic-stimulant and invigorator known to medicine. It purifies the blood, quickens the circulation, repairs and builds up the weak and decayed nerves and tissues, and keeps every organ of the body in a strong, healthy condition, so as to resist the attacks of disease, it is absolutely free from fusel oil and is the It is absolutely free from fusel oil and is the only whiskey recognized by the Government as

Duffy's is the only positive oure and preven-Duffy's is the only positive cure and preven-tive of consumption, pneumonia, dypepeia, indi-gestion, grip, malaria, diseases of the throat and lungs, and all bowel and stomach troubles. Sold by all reliable druggists and grocers everywhere,

\$1 a bottle Beware of dangerous imitations and substitutes. They are positively harmful and are sold for profit only by unscrupulous Look for the trade-mark, the "Old on the label, and be certain the Chemist." seal over the cork is unbroken.

medical booklet free. Duffy fait Whiskey

FELL DEAD IN TROLLEY CAR. James H. Blasdell Stricken While on His Way to Business.

Co., Rochester, New York.

James H. Blasdell, 60 years old, presient of the Asbestolith Company, at 15st Fifth avenue, died suddenly of heart failure in a Bergen street trolley car in Brook lyn while on his way from his home, 1182 Dean street, to his place of business. When the car had reached Hoyt and Bergen streets, dropping the newspaper which he had been reading, Mr. Blasdell arose from his seat and pressing his hand to his left side fell

over into the lap of a woman passenger. He died almost instantly. The body was taken to the Butler street station and subsequently removed to his home. Last summer Dr. James H. Blas-dell, Jr., his eldest son, was drowned at a New Jersey seaside resort after he had succeeded in rescuing two women. He is survived by a wife, a son and two daugh-

ARROWOOD'S SENTENCE STANDS.

The President Approves His Dismissal From the Navy for Descriton. WASHINGTON, March 23 .- The President has approved the sentence of dismissal from the navy of Midshipman Milton W Arrowood, who was found guilty by a court-martial of a charge of desertion. It was believed that the President would It was believed that the Fresident would mitigate the sentence by dismissing Ar-rowood on a charge of being "absent with-out leave," which would permit him to retain his rights of citizenship, something that he cannot do now, having been dised for desertion Arrowood is the first officer to be dis-missed from the navy for desertion in

Newberry to Be Assistant Secretary of the

more than forty years.

Navy. WASHINGTON, March 23.-There is no ruth in the report that T. H. Newberry of Detroit is to be Secretary of the Navy. According to present arrangements Mr. Newberry will be appointed Assistant Secretary of the Navy, to succeed Charles H. Darling of Vermont, who will retire in the fall to become Collector of the port of Burlington in his State.

Army and Navy Orders.

WASHINGTON, March 23.-The following army rders were issued to-day:
Major Henry Taylor, engineers, to Philippines
livision as chief engineer officer, relieving Major
Curtis McD. Townsend, engineers.
Lieut.-Col. Henry A. Greene, from duty as chief
of staff, Southwestern Division, to St. Louis, Northern Division, as chief of staff of that division.
Lieut.-Col, Walter S. Schuyler, from this city to
Dklabama City, Southwestern Division, for duty
is chief of staff of that division.
First Lieut. James L. Craig, to the Second Infantry: Col. William Stanton, to the Sitth Cavalry;
Lieut.-Col. E. J. McClernand, to First Cavalry;
Lieut.-Col. E. J. McClernand, to First Cavalry;
Lieut.-Col. C. Gardner, to the Fourth Cavalry. rders were issued to-day: alry, First Lieut, Henry R. Cas artillery, from 100th company comst, to Sev. a Battery, field artillery.

103th company coast, to Sev. A Battery, field artillery.
Capt. Dana W. Kilburn, Twenty-sixth Infantry, from treatment at general hospital, Washington barrecks, to his station.
Capt. Willard A. Holbrook, Flith Cavalry, from treatment at general hospital, Hot Springs, Ark., to his station. These naval orders were issued. Lieutenant-Commander W. G. Miller, from the oston to home and waiting order, Lieutenant-Commander H. Phelpa, to Navy De-artment, Washington, for duty in Judge Advo-Deutement, Washington, for duty in Judge Advo-cate's office.

Passed Assistant Surgeon E. M. Blackwell, to the naval station, San Juan, from the Castine.

Passed Assistant Surgeon C. S. Butler, from naval station, San Juan, to the Castine.

Rear Admiral W. M. Folger, assumed command of the Asistic-station, March 28.

Lieutemant-Commander J. B. Blish, to Cavite station. Lieut, Y. Stirling, from staff duty on board the NAVAL MANŒUVRES FINISHED. The Cruiser Brooklyn to Be Réar Admiral Sigsbee's Flagship.

WASHINGTON, March 23 .- The cruiser Brooklyn, now at target practice at Pensacola, will leave there on Friday for Guantanamo, where she will become the flagship of Rear Admiral Sigsbee, in command of the Caribbean squadron. Admiral Signbee's present flagship, the cruiser Newa k, will come up to Pensacola for a few days' target practice and then go to the Norfelk navy yard for repairs. After the vossel has been thoroughly overhauled she will be sent to Annapolis to take the midding

be sent to Annapolis to take the midding out on a summer cruise.

The maneuvres at Guantanamo were finished yesterday, when the combined fleets started northward for Pensacolo. There will be target practice there for several days. An effort is being made by members of Congress from Massachuseits to secure the promise of the North Atlantic fleet at Boston on June 17, Bunker Hill day.

Movements of Naval Vessels. WASHINGTON, March 23 .- The cruffer Yankee has arrived at Puerto Plata and the gunboat Eagle and the destroyer Stew-

art at San Juan. The cruiser Prairie has sailed from Tompkinsville for Newport News; the destroyer Macdonough from Guantanamo for Havana; the battleships Kearsarge. Alabama, Maine, Iowa, Massachusetts and Illi nois, the cruisers Denver, Tacoma and Cleveland, the guiboat Scorpion, the collier Leonidas and the destroyers Worden and Truxtun from Guantanamo for Pensacola; the battleship Texas and the monitors Florida, Nevada and Arkansas from Guan-tanamo for Key West, and the cruiser Des Moines from Havana for Fort Lauder-

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